

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Implementing Public Safety Broadband)	PS Docket No. 12-94
Provisions of the Middle Class Tax Relief and)	
Job Creation Act of 2012)	
)	
Implementing a Nationwide, Broadband,)	PS Docket No. 06-229
Interoperable Public Safety Network in the)	
700 MHz Band)	
)	
Service Rules for the 698-746, 747-762, and)	WT Docket No. 06-150
777-792 MHz Bands)	

REPLY COMMENTS OF VERIZON AND VERIZON WIRELESS

Verizon and Verizon Wireless (“Verizon”) agree with the public safety and industry commenters that support the Commission’s proposals in the *Notice of Proposed Rulemaking*¹ to establish a single set of technical rules governing FirstNet’s use of the 20 MHz of licensed spectrum for the nationwide public safety broadband network (“PSBN”). As APCO and other commenters noted, Congress mandated that the PSBN be “based on commercial standards” including “the commercial standards for Long Term Evolution (LTE) service.”² Verizon agrees with those commenters that Part 90 rules premised on the Part 27 technical requirements for

¹ See *In the Matter of Implementing Public Safety Broadband Provisions of the Middle Class Tax Relief and Job Creation Act of 2012, Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, Service Rules for the 698-746, 747-762, and 777-792 MHz Bands*, Notice of Proposed Rulemaking, PS Docket No. 12-94, PS Docket No. 06-229, WT Docket No. 06-150, FCC 13-31 (rel. Mar. 8, 2013) (“*NPRM*”).

² See, e.g., Public Safety Spectrum Act, Pub. L. No. 112-96, 126 Stat. 156, §§ 6001(10), 6203(c)(2); APCO Comments at 2-3; AT&T Comments at 2-3; Alcatel-Lucent Comments at 1-2; General Dynamics Comments at 3-8; NRECA/NTCA Joint Comments at 5-6; NPSTC Comments at 3; TIA Comments at 3-4; see also Harris Corporation Comments at 10-12 (PSBN rules should reflect 3GPP standards).

commercial 700 MHz licensees will enable FirstNet to achieve that statutory objective; will promote efficient use of the PSBN spectrum by first responders consistent with Congress's public safety objectives; will help prevent harmful interference to FirstNet, public safety and commercial licensees; and will enable FirstNet to achieve Congress's mandate that it employ commercial technologies and leverage partnerships with commercial operators.³

In contrast, technical rules for the PSBN spectrum that are not aligned with the rules for adjacent commercial spectrum in the 700 MHz band would heighten the risk of harmful interference among public safety users in adjacent areas and channels. Incompatibility between public safety and commercial systems and devices also would undermine the viability of partnering arrangements, contrary to Congress's objectives. Given the clear direction provided in the Public Safety Spectrum Act, as well as the demonstrable success of the 700 MHz technical rules in facilitating LTE deployment in those bands, departures from the approach proposed in the *NPRM* would be inconsistent with the Commission's mandate to "facilitate the transition of the existing public safety broadband spectrum to [FirstNet]."⁴

For these reasons, Verizon opposes Harris Corporation's recommendations to establish power limits for the PSBN spectrum that are different than those applicable to commercial spectrum bands.⁵ While the details of its proposal are unclear, Harris Corporation recommends replacing the established power/antenna height restrictions, which already account for low population density areas, with a single but undetermined set of maximum power limits in order to address deployment challenges in rural areas. The Commission should not adopt the proposal.

³ See APCO Comments at 3; AT&T Comments at 1-7; Ericsson Comments at 2-5; Motorola Solutions Comments at 4-10.

⁴ Public Safety Spectrum Act § 6201(c).

⁵ See Harris Corporation Comments at 14-15.

The current Part 27 rules already allow operations in rural areas at power levels that are twice that of higher density areas, precisely because the Commission recognized the challenges associated with rural deployments as well as the lower risk of interference arising from base stations deployed in rural areas.⁶ Those higher power limits, however, should remain tethered to height above average terrain (“HAAT”) limitations to protect not only nearby commercial 700 MHz operations, but other FirstNet and narrowband public safety operations as well.

Verizon also disagrees with Access Spectrum’s assertion that TDD operation is possible in the adjacent 700 MHz A Block “in full compliance with FCC rules and without interfering with adjacent spectrum” and that technical rules for the PSBN spectrum should accommodate such use of the A Block.⁷ As a threshold matter, this issue is outside the scope of the *NPRM*, which is focused on the “technical parameters for the [758-768/788-798 MHz spectrum] to protect against harmful radio frequency interference,” not the service and technical rules for adjacent commercial spectrum.⁸ In any case, the Commission’s technical rules for the commercial 700 MHz bands, including the A Block, have long been premised on paired spectrum allocations for mobile and base station operations.⁹ Departing from that policy by

⁶ See 47 C.F.R. § 27.50(b)(2)-(3); *In the Matter of Service Rules for the 698-746, 747-762 and 777-792 MHz Bands, et al.*, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 8064, ¶ 93 (2007).

⁷ See Access Spectrum Comments at 3.

⁸ See *NPRM* ¶ 15.

⁹ See 47 C.F.R. § 27.50(b)(1), (9) (applying distinct power limits for base/fixed operation at 757-758 MHz band (not mobile or portable stations) and mobile/portable/fixed operations at 787-788 MHz (not base stations)); *In the Matter of Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission’s Rules*, First Report and Order, 15 FCC Rcd 476, ¶¶ 40-42 (2000) (opting for paired band approach and accompanying power limits), and Second Report and Order, 15 FCC Rcd 5299, ¶ 100 (2000) (applying paired band approach to guardbands, including A Block); *In the Matter of Service Rules for the 698-746, 747-762 and*

shoehorning TDD operations into the paired 1x1 MHz A block risks significant harmful interference to adjacent public safety and commercial licensees alike. Thus, the Commission should not adopt rules for the 700 MHz PSBN spectrum that accommodate Access Spectrum's proposal.

Respectfully submitted,

Michael E. Glover
Of Counsel

/s/ Robert G. Morse
John T. Scott, III
Robert G. Morse
1300 I Street, N.W.
Suite 400 West
Washington, DC 20005
(202) 589-3740

*Attorneys for Verizon
and Verizon Wireless*

June 10, 2013

777-792 MHz Bands, et al., Second Report and Order, 22 FCC Rcd 15289, 15502-05 (2007) (applying current power/antenna height rules to reallocated paired A Block).